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REMARKS

Claims 1-30 are pending in the application.

Claims 1-30 are rejected.

Claims 1, 12 and 21 are amended herein.

35 USC 112

Claims 1, 12 and 21 have been rejected under 35 U.S.C. 112, ¶2, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In rejection point (a), the Examiner indicated that who the "callee" is should be clarified. The claims have been amended to replace "a callee's" with "the mobile device's."

In rejection point (b), the Examiner indicated regarding the claim language "a PSTN call to an internet telephony user" that it is unclear what/which device or user makes the call. The claims have been amended to replace "...and for PSTN calls to an internet telephony user," with "...; and for PSTN originated calls to an internet telephony user".

Regarding rejection point (c), the claim language "...a call path" has been amended to recite "...a call path from the internet telephony device to the mobile device". The Examiner suggested utilizing the language "...mobile user/device" instead of "...mobile device", but Applicants feel "...device" also implies its user. To provide proper antecedent basis for the change, the preceding "for an internet telephony call to a mobile user" has been changed to "for calls from an internet telephony user/device to a mobile device".

Regarding rejection point (d), the claim language "cellular numbers are used to denote internet telephony accounts", has been amended to recite the Examiner's suggested language "cellular numbers are used to denote internet telephony telephones". The Examiner suggested utilizing the language

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"...users/telephones" instead of "...telephones", but Applicants feel "...telephones" also implies their users.

Applicants respectfully request the Examiner withdraw the rejection.

35 USC 103(a)

Claims 1, 4, 5-12, 15-21 and 24-30 have been rejected under 35 USC §103(a) as being unpatentable over Havinis et al. (US 2003/0202521, hereinafter Havinis) in view of Higuchi (US 2005/0286501, hereinafter Higuchi). The rejection is respectfully traversed.

Applicants request that their previous remarks submitted on May 23, 2007 be considered commensurate with the present response as further support for the following.

Applicants' Claims 1, 12 and 21, recite the ability to select a location dependent routable phone number for use in gateway selection, wherein the methodology enables a call path to bypass a callee's home MSC or gateway MSC depending on technology utilized. Applicants submit that the claims of the present invention are allowable over the prior art since the cited art fails to teach or suggest all of the limitations of the claims as they stand. Particularly, Havinis fails to teach or suggest at least the limitation of "querying a unified location management device having location information stored for users of said different network protocols," as recited in Applicants' independent claim 1.

The Examiner suggests the claimed "unified location management device having location information stored for users of said different network protocols" is taught by the Home Location Register (HLR) 280 and Gateway Mobile Switching Center (GMSC) 270 of Havinis Figure 1. This is incorrect. As mentioned, the Applicants' claimed unified *location management device* includes "location information stored for users of said different network protocols." This is in complete contrast to HLR 280 and GMSC 270, which only contains information pertaining to Public Land Mobile Network (PLMN) 210, as clearly evidenced by

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HLR 280 and GMSC 270 being entirely contained in/by the PLMN 210 of Havinis Figure 1.

Higuchi fails to bridge the substantial gap between Havinis and Applicants' invention. Higuchi teaches a media communication system in which communication of media is constructed to communicate exclusively across an IP network (see Higuchi, Abstract). Hence, Higuchi clearly does not teach, but rather teaches away from Applicants' claimed communication between networks supporting "different network protocols." Therefore, Higuchi does not provide any motivation to arrive at Applicants' claimed invention either.

As such, the Applicants submit that claim 1 is not obvious over Havinis in view of Higuchi, and is patentable under 35 U.S.C. §103

Applicants' independent claims 12 and 21 recite similar limitations as independent claim 1, and are therefore allowable for the same reasons provided above pertaining to claim 1. Claims 4, 5-11, 15-20 and 24-30 depend directly or indirectly from, and include each and every limitation of independent claims 1, 12 and 21. Claims 4, 5-11, 15-20 and 24-30 are therefore allowable for the same reasons.

Claims 2, 3, 13, 14, 22 and 23 have been rejected under 35 USC §103(a) as being unpatentable over Havinis in view of the admitted prior art.

Claims 2, 3, 13, 14, 22 and 23 depend directly or indirectly from independent claims 1, 12 and 21. Moreover, for at least the reasons discussed above, the Havinis and Higuchi references fail to teach or suggest Applicants' invention as recited in claims 1, 12 and 21. Accordingly, any attempted combination of the Havinis and Higuchi references with any other additional references, in a rejection against the dependent claims, would still result in a gap in regards to the rejection against the independent claims. As such, Applicants submit that dependent claims 2, 3, 13, 14, 22 and 23 are not obvious and are patentable under 35 U.S.C. §103.

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Based on the above remarks and the amendments to the claims, Applicants submit that the claims have been shown to be allowable in view of the prior art and that the basis for any rejections has been overcome.

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Conclusion

In view of the foregoing, allowance of all the claims presently in the application is respectfully requested, as is passage to issuance of the application. If the Examiner should feel that the application is not yet in a condition for allowance and that a telephone interview would be useful, he is invited to contact Applicants' undersigned attorney at 732-530-9404.

Respectfully submitted,

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